REMARKS

Receipt of the Office Action of November 21, 2008 is gratefully acknowledged.

Claim 10 is objected to "because the terms found in parentheses.....were....[not] removed in the subsequent amendments.." In reply, claim 10 has again been amended to correct this oversight, thereby overcoming this objection.

Claim 16 is rejected under 35 USC 112, second paragraph because the term "free" is not understood. If the examiner refers to page 9, beginning on line 18 to page 10, line 16 of the specification, the "free" report is discussed. Basically, it is issued when the frequency of the oscillations of the oscillatable unit exceed a certain value. This definition is found in claim 16, so there should not be any misunderstanding. Still, to insure clarity, claim 16 has been amended to delete "free." Whether the report is designated "free" or some other designation is irrelevant. What is important is that the definition, noted in claim 16, be recited, and it is. This rejection should therefore be withdrawn.

Next the examiner rejects claims 10 - 18 as anticipated under 35 USC 102 (b) by D'Angelico et al. While applicant does not agree that D'Angelico et al anticipates the claims, in order to expedite prosecution, claims 10, 12 and 14 have been combined with appropriate editing. The present invention addresses the problem of accretion which coats the oscillatable unit affecting its readings and proposes a unique solution not taught by D'Angelico et al. Claim 10 as amended an accretion alarm is given when the oscillation frequency of the oscillations of the oscillatable unit fall below an adjustable limit value. How this limit value is determined is now defined more specifically in claim 10 (claim 10 + claim 12). This determination is defined as calculated from the smallest

oscillation frequency as a function of the maximum, with reference to the field device, allowable process conditions and as a function of the maximum, with reference to the field device and with reference to the application allowable process variable to be monitored. Hence, the limit value refers to the lowest oscillation frequency which results from the process variable and the process conditions. If the frequency is lower than this limit value, this cannot be the result of any other parameter but of accretion. D'Angelico et al does not define an adjustable limit value as is defined in claim 10 as amended. Accordingly, D'Angelico et al cannot anticipate claim 10, or the claims which depend therefrom..

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 10, 11,13 and 15 - 18 found allowable.

Respectfully submitted,
BACON & THOMAS, PLLC

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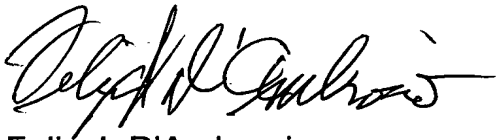

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